

TOWN BOARD MEETING  
January 19, 2006 - 7:00 PM

The meeting was called to order by Supervisor Reagon at 7:05 p.m.

Salute to the Flag was conducted.

Emergency Exits were pointed out by the Supervisor.

Roll Call:

Councilwoman Perotti	Present
Councilman Euvrard	Present
Councilwoman Doyle	Present
Councilman Russell	Present
Supervisor Reagon	Present

PUBLIC COMMENTS - AGENDA ITEMS ONLY

1. Pat Nelligan noted that Resolution 4 of 2003 as well as Town Law section 63 allows the Town Board to establish procedures and policies regarding public comments. He requested that a policy be established.
2. Eliot Soroka restated his request for Planning Board members to be present at interviews for town attorney. Supervisor Reagon explained that George Fenn (Planning Board chair) was present for the interviews. The Planning Board chooses its own attorney.
3. Darlene Reimer expressed the idea of a town committee with a liaison to Webutuck School District to ensure that the town will be involved in the Webutuck Facilities Master Plan.

APPOINT TOWN BOARD MEMBERS TO STANDING COMMITTEES

Supervisor Reagon moved to appoint Town Board members to standing committees as follows:

Recreation	(2)	R. Russell and V. Doyle
Affordable Housing	(2)	R. Russell and W. Euvrard
Wastewater	(2)	V. Doyle, J. Reagon, and V. Perotti
Enhancement/Townscape	(2)	V. Doyle and R. Russell
Conservation Advisory Com.	(2)	R. Russell and V. Perotti
Emergency Response/Safety	(2)	J. Reagon, W. Euvrard, and R. Russell
CPIC	(2)	V. Doyle, J. Reagon, and R. Russell
Ethics	(2)	V. Doyle and J. Reagon
Fountain Square	(2)	V. Doyle and V. Perotti
Holiday of Lights	(2)	V. Doyle and V. Perotti

Alternate to all Standing Committees - Supervisor Reagon

APPOINT TOWN BOARD MEMBERS TO STANDING COMMITTEES

MOTION: S/Reagon

SECOND: C/Doyle

ROLL CALL:	C/Perotti	- AYE	C/Doyle	- AYE
	C/Euvrard	- AYE	C/Russell	- AYE
	S/Reagon	- AYE		

MOTION CARRIED 5 to 0.

APPOINT TOWN ATTORNEY

A motion was made to appoint Michael Hayes as Town Attorney at a rate of \$110 per hour and \$130 per hour for litigation.

APPOINT MICHAEL HAYES AS TOWN ATTORNEY

MOTION: C/Euvrard

SECOND: C/Perotti

ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE

MOTION CARRIED 5 to 0.

APPOINT ASSISTANT BOOKKEEPER

Councilwoman Doyle moved to appoint Scott Beyer, CPA as the assistant bookkeeper at \$20 an hour for 15 - 20 hours a week.

APPOINT SCOTT BEYER AS ASSISTANT BOOKKEEPER

MOTION: C/Doyle

SECOND: C/Russell

ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE

MOTION CARRIED 5 to 0.

APPOINT ZBA (ZONING BOARD OF APPEALS) CHAIR

A motion was made to appoint Rudy Eschbach to the non-salaried position of ZBA chair:

APPOINT RUDY ESCHBACH AS ZBA CHAIR

MOTION: C/Doyle

SECOND: C/Euvrard

ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE

MOTION CARRIED 5 to 0.

APPOINT CPIC (COMPREHENSIVE PLAN IMPLEMENTATION COMMITTEE) CHAIR

Councilwoman Perotti moved to appoint Mark Doyle as CPIC chair:

APPOINT MARK DOYLE AS CPIC CHAIR

MOTION: C/Perotti

SECOND: C/Russell

ROLL CALL: C/Perotti - AYE C/Doyle - abstain  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE

MOTION CARRIED 4 votes with 1 abstention.

CONSTABLE

Supervisor Reagon announced that Constable Leon Vincent had obtained his firearm qualification. Since this was a condition of his appointment as constable, the condition is removed and his appointment is now official.

APPOINT INTERNAL AUDIT COMMITTEES

Supervisor Reagon moved that the internal audits be done by the following Town Board members:

Justice Court

W. Euvrard, V. Doyle

Chief Fiscal Officer                      V. Perotti, V. Doyle  
Town Clerk, Tax Collector              R. Russell, V. Doyle

APPOINT TOWN BOARD MEMBERS TO INTERNAL AUDIT COMMITTEES

MOTION:            S/Reagon  
SECOND:            C/Doyle  
ROLL CALL:    C/Perotti        - AYE                      C/Doyle            - AYE  
                  C/Euvrard       - AYE                      C/Russell        - AYE  
                  S/Reagon        - AYE  
MOTION CARRIED 5 to 0.

FUNDS FOR ASSISTANT BOOKKEEPER

Supervisor Reagon read the resolution which transfers money from the Contingency fund (A00-01-1900-430) to Supervisor-Personal Services (A00-01-1220-100) for the salary of the assistant bookkeeper:

RESOLUTION # 1 OF 2006 - TRANSFER FUNDS FOR ASSISTANT BOOKKEEPER FROM CONTINGENCY TO SUPERVISOR PERSONAL SERVICES

MOTION:            S/Reagon  
SECOND:            C/Perotti  
ROLL CALL:    C/Perotti        - AYE                      C/Doyle            - AYE  
                  C/Euvrard       - AYE                      C/Russell        - AYE  
                  S/Reagon        - AYE  
MOTION CARRIED 5 to 0.

TOWN HALL USE BY AMENIA FIRE COMMISSIONERS

A motion was made to allow the Amenia Fire Commissioners to use Town Hall for their meetings:

APPROVE TOWN HALL USE BY AMENIA FIRE COMMISSIONERS

MOTION:            C/Doyle  
SECOND:            C/Euvrard  
ROLL CALL:    C/Perotti        - AYE                      C/Doyle            - AYE  
                  C/Euvrard       - AYE                      C/Russell        - AYE  
                  S/Reagon        - AYE  
MOTION CARRIED 5 to 0.

BOARD OF ELECTIONS VOTING DISTRICTS

Supervisor Reagon reported that the Dutchess County Board of Elections had agreed to extend the deadline for redrawing electoral districts because Amenia had not received the notice until January 12. Voting district 4 is much larger than district 1, so it would make sense to redraw the districts. Since both of these districts vote at the Amenia firehouse, these citizens would not have to change their polling place. We should look at the maps and the voter registration records for all four electoral districts and make adjustments as needed. There is no firm deadline from the Board of Elections as it is in their interest to have Amenia redraw the districts.

FEMA (FEDERAL EMERGENCY MANAGEMENT AGENCY)

Supervisor Reagon noted that New York State had until this weekend to decide if they were going to appeal the federal FEMA decision to deny benefits to our area that were requested as a result of the damage caused by the recent storms and flooding. All our legislators have supported the appeal and have contacted the governor. Councilman Russell observed that the \$80,000 in overtime for the highway department represents about 4 - 5% of our town budget. A loss of this size will impact our ability to do things this year.

#### EMERGENCY RESPONSE INTERIM SUCCESSORS

Supervisor Reagon requested that the list for emergency response interim successors to the supervisor be: Vicki Doyle, Roger Russell, Wayne Euvrard.

#### ADD WAYNE EUVRARD TO LIST OF EMERGENCY RESPONSE INTERIM SUCCESSORS

MOTION: C/Perotti  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

#### PLANNING BOARD APPOINTMENT

Councilwoman Doyle thanked James Walsh for his 17 years of service to the Planning Board and moved for his re-appointment:

#### APPOINT JAMES WALSH TO PLANNING BOARD FOR 7-YEAR TERM

MOTION: C/Doyle  
SECOND: C/Euvrard  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

#### ZBA (ZONING BOARD OF APPEALS) APPOINTMENT

Councilwoman Doyle thanked E. John Quinn for his years of service to the ZBA and moved to appoint David Rosenberg.

#### APPOINT DAVID ROSENBERG TO ZBA FOR 5-YEAR TERM

MOTION: C/Doyle  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - abstain C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 4 votes with 1 abstention.

#### WATER DISTRICT COMMITTEE

Supervisor Reagon read the resolution which created a Water District Committee composed of five to seven residents of the water district, the Water Treatment Operator, and a Town Board member, to act in an advisory capacity to the Town Board on matters related to the water district:

#### RESOLUTION # 2 OF 2006 - CREATE WATER DISTRICT COMMITTEE

MOTION: C/Euvrard  
SECOND: C/Russell  
ROLL CALL: C/Perotti - AYE C/Doyle - AYE  
C/Euvrard - AYE C/Russell - AYE  
S/Reagon - AYE  
MOTION CARRIED 5 to 0.

Councilman Russell will be the temporary chair of the new committee to get it organized. Councilman Euvrard indicated that he had submitted a list of five people who had volunteered to be on the new committee. The first meeting of the new committee will be open to all water district residents.

#### DEPARTMENTAL REPORTS:

##### ATTORNEY'S REPORT

Michael Hayes reported that he had received a request from the assessor's office to rescind the business investment exemption which provided a tax exemption for qualifying businesses. The intent of the law was to encourage investment by new businesses and also new investment by existing businesses, but the desired effect was never achieved. A local law would be needed to revoke the exemption. Neighboring communities have similar exemptions and Amenia needs such a benefit to encourage investment in our town. It was generally agreed that since the exemption was not hurting anyone, we should leave it "on the books" and revisit it next year.

A second request from the assessor's office involved condominiums which are not assessed as individual units but rather as an entire building, resulting in lower assessment and lower tax revenue for the town. A limited exception can be made by drafting a local law to allow the town to get a higher assessment on any newly-converted condominiums (that were formerly apartment buildings). Michael Hayes said that he would draft a proposed local law.

Regarding the Avey appeal, the oral arguments were heard on Tuesday and we are now waiting for a decision. The lawyer's work on this case is completed. A different case involving a ZBA variance has been transferred up to the appellate division.

##### HIGHWAY SUPERINTENDENT'S REPORT

Stan Whitehead reported:

- The dirt roads in the town cost a lot to maintain and gravel is hard to get in Amenia. Supervisor Reagon asked if there was a plan to phase-in paving of these dirt roads. We need to get a capital plan to pave roads; Separate Road was paved with a multi-modal grant. Some of the roads that need to be paved are Deep Hollow, Tower Hill, and Flint Hill.
- Wassaic lights are on hold waiting for the vendor to hear from the manufacturer.
- The "Welcome to Amenia" signs are breaking.
- Supervisor Reagon asked the public's cooperation to avoid parking cars on the street when snow is forecast. These parked cars prevent proper plowing and the resultant snow bank accumulation creates further problems. There is a local law from March 2005 which authorizes the town to have cars towed if they violate the parking restrictions.
- Stan Whitehead raised an on-going question: who is responsible to remove the snow in front of the post office, a state road? Supervisor Reagon responded that New York State law states that the town assumes responsibility for sidewalks and up to the white line. The shoulder area is still questionable.
- Councilwoman Perotti cautioned that the Town needs to avoid taking over any more roads, although the developers want us to do so.

- The new highway department truck has been back to the dealer four times and to Dutchess Diesel twice, although all the work so far has been under warranty.
- There is some land near the Highway Department (about .75 acres) that the town may be able to buy. Possible uses include a salt shed, better access to Borden Park, or other town usage. The property is owned by Mr. Stearns and a survey is needed. Councilman Euvrard stated that this property is the worst possible place for a salt shed since it is so close to a stream. The town owns land across from the State School entrance which may be a better location for a salt shed. Supervisor Reagon asked Stan Whitehead to get her the information on that property.

#### WATER DISTRICT REPORT

Gary Bonds reported:

- Average usage is 118,000 - 125,000 gallons per day, still high for the winter. There could be more leaks out there.
- Well #1 runs continuously because if we shut it off, it picks up dirt.
- Syms Amenia Hills Development: some money should be put aside for John Lazaroni who should be paid from the Amenia Hills escrow. Lazaroni has a \$9,800 contract with Morris Associates.
- \$17,000 spent so far on the new well.

#### NEW WELL PROJECT BID

Gary Bonds announced that quotes are in for the pump and electric work for the new well and that he supports B.F. Beale. Although another bid was \$100 less, that bid included an estimate.

#### ACCEPT BID OF \$12,600 FROM B.F. BEALE FOR WORK ON NEW WELL

MOTION: C/Euvrard

SECOND: C/Perotti

ROLL CALL:	C/Perotti	- AYE	C/Doyle	- AYE
	C/Euvrard	- AYE	C/Russell	- AYE
	S/Reagon	- AYE		

MOTION CARRIED 5 TO 0.

#### AMENIA HILLS ESCROW

Lana Anguin-Cohen questioned if the Amenia Hills escrow account had sufficient funds and were these funds controlled exclusively by the Planning Board. Gary Bonds emphasized that all work on the bill he submitted applied to Amenia Hills Development. Can Planning Board escrow account be used for water district bills or does the Town need their own escrow account?

#### WASTEWATER COMMITTEE

Darlene Reimer reported that meetings will be held on Mondays. They are still seeking more people, especially residents of Wassaic.

#### AFFORDABLE HOUSING

Betty Rooney gave a brief summary of committee activities in 2005 including speakers and several promising leads which did not work out due to a lack of land. The middle class is being squeezed out and young people and oldsters who want small homes cannot find them.

#### COMMITTEE CHAIRS

Supervisor Reagon listed the following committee chairs:

CAC (Conservation Advisory Comm)	Dave Reagon
Safety	Lana Anguin-Cohen
Enhancement	Andy Durbridge, interim chair
Board of Ethics	George Mudge
Fountain Square	Darlene Reimer
Holiday of Lights	(no chair)
Technology	Lou Cesa
Rec Commission	Pete Clair
Emergency response	Lana Anguin-Cohen

#### TOWN CLERK REPORT

Gail Hermosilla presented the Town Clerk Monthly Status Report (attached).

#### TOWN BOARD REPORTS

Councilwoman Doyle:

- Business cards are needed for the new Town Board members. Lana has this in progress.
- Recreation Master Plan can be reviewed on the town website in preparation for the February 9 workshop.
- Town received a member item grant from Pat Manning for \$4,000 for technology. A digital projector has been suggested.

Councilman Euvrard:

- Is the budget finalized? Yes, with a 1.5 % decrease from last year. Oddly, the town tax bill shows a decrease of only .4 %. Councilwoman Doyle explained that the county comes up with the final amount and produces the tax bills.

#### SUPERVISOR REPORT

- DEC has scheduled a meeting about the Old Amenia Landfill for Feb. 13 at 7:00. Gary Bonds was requested to tape the meeting and show it on channel 22. DEC will run the meeting, answer questions, and issue a final decision.
- CPIC is finishing their draft plan which will be put on the town website about Feb. 13 in advance of the Feb. 18 public meeting.
- Harlem Valley Rail Trail is receiving opposition from the Town of Ghent. Supervisor Reagon wrote a letter in support of the Rail Trail and encouraged others to do the same.

#### MINUTES

##### APPROVE MINUTES OF TOWN BOARD REORGANIZATION MEETING ON 1/2/2006

MOTION: C/Euvrard

SECOND: C/Perotti

ROLL CALL: C/Perotti - AYE C/Doyle - AYE

C/Euvrard - AYE C/Russell - AYE

S/Reagon - AYE

MOTION CARRIED 5 to 0.

#### PUBLIC COMMENTS

1. Ed Waaler, a 50-year resident of Amenia urged the return of local channel 6. It was noted that our Cablevision contract expires in

November 2006, and this is our only leverage to get more service. The Public Service Commission (PSC) is not our advocate.

Ed Waaler also commented that the Town Highway Department needs gravel and Allen Sand & Gravel has gravel, although it may not be of sufficient quality. In response to a question about matching grants, Councilwoman Doyle listed:

Pat Manning Technology grant	not matching grant
CDBG (Community Devel. Block Grant)	not matching
Salt Shed grant	not matching
Sidewalk grant (Greenway)	matching; in-kind service OK.

2. Sharon Kroeger added that rural parts of the community, including all of Smithfield, do not get channel 22.
3. Darlene Reimer suggested that we look for other vendors if Cablevision cannot provide service to the whole town. In regard to the Allen Sand & Gravel property, we do not know what is left in the 21-acre quarry.
4. Pat Nelligan voiced his concern with new town well #4A and the way it is being handled. The proposed 72-hour pump test will pump a quarter million gallons of water into the wetland. This fresh artesian water will flush all living organisms from the wetland. As an alternative, Pat offered his own pond which is only 50 feet away. The proposed pump test will test both pumps, but the water from one pump will go safely into the water system. It is the water from the other pump that must be discarded.
5. Katharine Dunlop commented on the dangerous condition posed by the snow banks in front of the post office which force cars to park further out in the roadway, making it even more dangerous to exit your car. The end of December snow banks lasted for 2 - 3 weeks. Supervisor Reagon responded that we have a local law and that the Highway Superintendent has the authority to have vehicles towed.

#### ADJOURNMENT

The motion to adjourn was approved unanimously at 9:45 p.m.

Respectfully submitted,

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Gail Hermosilla,  
Amenia Town Clerk

Approved by Town Board: Feb. 16, 2006

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Town Clerk Monthly Status Report for December 2005  
January 19, 2006

Regular Monthly Activity:

Dog licenses	1
Marriage licenses	1
Marriage certified copies	0
Birth certificate copies	0
Death certificate copies	0
Zoning books sold	1
Miscellaneous copies	133
Transfer station permits	19
Bulk permits sold	9
Transfer station coupon books	179
Burning permits issued	18
FOILs received	2
Legal notices/public hearing sent	0
Handicap parking permits	6
Bids advertised	0
Documents notarized	9
Trailer Park permits	187

As a result of this activity, we gave the Supervisor \$ 6,221.58 for last month.

Other activity

Senior Citizen Calendars

We have received the 'senior calendars' from the Association for Senior Citizens. This is a very handy resource guide as well as a calendar, and can be picked up at the town clerk office. If you cannot come in to pick up your calendar, just call the Town Clerk and we will mail it. Our phone number is 373-8118 ext 100, which can be found on Cablevision channel 22.

Taxes

The Town property tax bills went out last Friday (Friday the 13<sup>th</sup>) with a February 28 due date. If anyone did not receive a tax bill that they were expecting, please call the Town Clerk office immediately. The property owner is responsible for paying the taxes, even if a bill is not received. We want to thank everyone who has already paid their taxes. Early payment makes our job easier and is much appreciated.

Saturday hours

The Town Clerk office will be open this Saturday January 21 from 9:00 until noon.

Thank you.